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Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya

Note verbale dated 20 June 2011 from the Permanent Mission of Switzerland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya and has the honour to transmit to him herewith the report of Switzerland under Security Council resolutions 1970 (2011) and 1973 (2011) (see annex).

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Annex to the note verbale dated 20 June 2011 from the Permanent Mission of Switzerland to the United Nations addressed to the Chairman of the Committee

Report of Switzerland under Security Council resolutions 1970 (2011) and 1973 (2011)

Pursuant to paragraph 25 of resolution 1970 (2011) of 26 February 2011, Switzerland has the honour to provide the Security Council Committee established pursuant to resolution 1970 (2011) with the following information on implementation of the measures set out in paragraphs 9, 10, 15 and 17 thereof.

On 30 March 2011, the Swiss Federal Council (the Government) adopted the Ordinance instituting measures against Libya (hereinafter "the Ordinance")* with a view to application of the United Nations sanctions established in resolutions 1970 (2011) and 1973 (2011). The legal basis for the Ordinance is the Federal Act of 22 March 2002 concerning the application of international sanctions (the Embargo Act).

Paragraphs 9 and 10 of resolution 1970 (2011): Arms embargo

These paragraphs are implemented by article 1 of the Ordinance.

Article 1 (1) prohibits the sale, supply, export or transit of military equipment of all types to Libya or for use in Libya.

Article 1 (3) prohibits the provision of services of any kind, including financial services, brokerage services and technical training related to military equipment, as well as the provision of armed mercenaries.

Lastly, article 1 (4) prohibits the purchase, import, transit, transport and brokerage of military equipment from Libya.

Paragraph 15 of resolution 1970 (2011): Travel ban

This paragraph is implemented by article 4 of the Ordinance.

Article 4 (1) prohibits the entry into or transit through Switzerland of the individuals listed in annexes 4 and 5 of the Ordinance. Annex 4 contains the list of individuals subject to sanctions under annex I of resolution 1970 (2011) and annex I of resolution 1973 (2011).

Paragraph 17 of resolution 1970 (2011): Asset freeze

This paragraph is implemented by article 2 of the Ordinance.

Article 2 (1) provides that funds and economic resources owned or controlled by the individuals, enterprises and entities listed in annexes 2 and 3 of the Ordinance shall be frozen. Annex 2 contains the list of individuals and entities subject to financial sanctions under annex II of resolution 1970 (2011) and annex II of resolution 1973 (2011).

* Annexes are on file with the Secretariat and are available for consultation.

Article 2 (2) prohibits the provision of funds to individuals, enterprises and entities subject to the asset freeze and stipulates that funds and economic resources shall not be made directly or indirectly available to them.

Lastly, article 8 of the Ordinance establishes the obligation to declare frozen assets to the competent Swiss authorities.

Other measures

The flight ban established in paragraph 17 of resolution 1973 (2011) is implemented by article 5 of the Ordinance.

In addition to the measures described above, Switzerland has taken further coercive measures against Libya. The sale, supply, export and transit of goods which might be used for internal repression have been prohibited (article 1 (2) and annex 1 of the Ordinance). In addition, the travel ban and financial sanctions have been applied to the additional individuals and entities mentioned in annexes 3 and 5 of the Ordinance. These further coercive measures are identical to those taken by the European Union.

As at 1 June 2011, Libyan assets valued at approximately 650 million Swiss francs were frozen in Switzerland.